

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROBIN THOMAS,

*

Plaintiff,

*

vs.

* Civil Action No.

*

JURY DEMANDED

GRINDER & HAZLIP.

*

Defendant.

*

COMPLAINT

I. INTRODUCTION

This is an action for declaratory, injunctive and monetary relief brought by plaintiff, Robin Thomas, against his employer, Grinder & Haizlip. Plaintiff alleges, as more specifically set forth below, that he was subjected to unlawful discrimination on the basis of race and retaliation, in violation of Title VII of the 1964 Civil Rights Act, as amended, 42 U.S.C. § 2000e et seq.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction of the Plaintiff's claim under Title VII pursuant to 42 U.S.C. § 2000e et seq., which provides for injunctive and remedial relief from discrimination in employment.

2. The Plaintiff has complied with all conditions precedent to commence in this

lawsuit under Title VII by filing a Charge of Discrimination with the Equal Employment Opportunity Commission and receiving a Notice of Right to Sue and is filing within the ninety (90) day period.

3. Plaintiff is a citizen and resident of Mt. Juliet, Wilson County, Tennessee and was employed by the Defendant in Memphis, Shelby County, Tennessee.

4. Defendant, Grinder & Haizlip, is a company doing business in the state of Tennessee, with operations located in Memphis, Shelby County, Tennessee. This Defendant may be served with process by delivering a copy of the summons and complaint to its Agent for Service of Process, Greg Grinder, located at 1746 Thomas Road, Memphis, Shelby County, Tennessee 38134. Defendant is an employer as defined by 42 U.S.C. § 2000e and is therefore subject to the provisions of Title VII of the Civil Rights Act.

5. Plaintiff is a member of the class of persons protected by the foregoing Act and statute in that Plaintiff was acting to protect members of the protected class, African Americans when he suffered retaliation.

FACTS

6. Plaintiff, Robin Thomas, was employed by the Defendant, Grinder & Haizlip Construction, Inc., in Memphis, Shelby County, Tennessee as a Job Site Superintendent, located at 1746 Thomas, Memphis, Shelby County, Tennessee. During this period of time, the Plaintiff was asked to serve as Foreman by his superiors at Grinder & Haizlip Construction, Inc. While employed in this capacity, plaintiff observed black employees being treated differently than similarly situated White and Mexican employees. Also, plaintiff applied for a promotion as Team Leader. After, plaintiff questioned the disparate

treatment of White, Mexican and Black employees, Plaintiff was terminated from his employment with Defendant. Particularly, plaintiff observed supervisors referring and treating black employees in a demeaning and unfair fashion. Plaintiff informed the black employees of the unfair treatment and was subsequently terminated.

7. The sole reason for Plaintiff's treatment was because of his complaints of race discrimination and retaliation for his actions to protect the civil rights of the black employees in violation of the Civil Rights Act of 1964. Such action by Defendant Grinder & Haizlip constitutes discrimination on the basis of race and retaliation.

8. Additionally, the conduct displayed by the Defendant constitutes a pattern and practice of discrimination by the Defendant.

9. As a result of the intentional conduct of the Defendant, as set forth above, Plaintiff has suffered actual injury including, but not limited to, loss of income and benefits, as well as extreme humiliation, embarrassment, and mental anguish and emotional distress.

PRAYER FOR RELIEF

WHEREFORE, AND CONSIDERATION OF THE FOREGOING, PLAINTIFF PRAYS that the Court, after service of this action upon Defendants, direct the Clerk to set this matter for trial. Plaintiff further requests a jury to hear this cause, and upon a hearing and verdict thereon prays for the Court to issue a judgment;

1. Finding that the Defendant's actions constituted intentional racial and retaliation discrimination in violation of Title VII of the Civil Rights Act of 1964;
2. Awarding Plaintiff for back pay and benefits in the amount to

be determined at trial;

3. Awarding Plaintiff actual and compensatory damages in the amount of \$300,000;
4. Awarding Plaintiff punitive damages in the amount of \$300,000;
5. Awarding Plaintiff pre-judgment judgment interest;
6. Attorney fees as provided by law.

Respectfully submitted,

HILL • BOREN P.C.

S/Christopher L. Taylor

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